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Act

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,990	04/15/2004	Stacey Alan Barnes	AUS920040073US1	7260
7590	02/18/2005		EXAMINER	
Robert V. Wilder Attorney at Law 4235 Kingsburg Drive Round Rock, TX 78681			BROUSSARD, COREY M	
			ART UNIT	PAPER NUMBER
				2835

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/824,990	BARNES ET AL.
Examiner	Art Unit	
Corey M. Broussard	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 15 April 2004.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-22 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-22 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 15 April 2004 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. \_\_\_\_\_.  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 9 and 10 are objected to because of the following informalities: Claim 9 is an identical copy of claim 10. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites the limitation of a universal serial bus (USB) cable; this is a technology standard and is indefinite because standards are subject to change.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 13, 18, 19, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Comer (PN 6,471,542). With respect to claim 13, Comer teaches an

outer casing having a top panel, a bottom panel and four side panels (notebook computer, see col 2 line 12); attachment material disposed on said panels (the attachment device 108a, 108b must inherently attach to the panels of the electronic device), said attachment material being designed to be selectively coupled to a cable accessory (190) for said electronic device at two or more points on said top panel thereby enabling a handle (see Fig. 1) to be formed by said cable accessory whereby said electronic device may be carried by said handle formed by said cable accessory.

6. With respect to claim 18, Comer teaches wherein said electronic device includes a security recess (female connector corresponding to 165) for receiving a security connector (160) of a cable accessory (190) for said electronic device (see col 4 lines 44-50, disclosing how the cable functions as a security device).

7. With respect to claim 19 Comer teaches an accessory strap (170) for enclosing AC power conductors (190), said accessory strap comprising a series of two or more pre-formed sections (col 2 lines 1-7, the strap can be made of plastic and bonded together to encase components, therefore the strap would inherently be made of at least 2 pre-formed sections), said pre-formed sections being arranged to enclose electrical conductors (col 2 lines 5-7) used to connect said electronic device to a power source, said accessory strap being designed to be selectively placed around edges of said electronic device (col 2 lines 9-12, the attachment devices must inherently be attached to some outer edge of the device to act as a carrying strap), said accessory strap further including means for forming a carrying handle whereby said electronic

device may be carried by said carrying handle when said accessory strap is arranged around said edges of said electronic device.

8. With respect to claim 21, Comer teaches wherein said electronic device is a laptop computer device (col 2 line 12).

9. With respect to claim 22, Comer teaches wherein said electrical conductors (190) are longer in length than said accessory strap (170) whereby said accessory strap is effective to prevent mechanical stress being placed on said electrical conductors when said accessory strap is used to carry said laptop computer device (see Fig. 1, 2).

#### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-7, 11, 12, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Comer (PN 6,471,542) in view of Harris et al. (US 2004/0217027). With respect to claim 1, the method for enabling an accessory cable for carrying an electronic device is inherent in the structure of Comer. Comer teaches attaching a first portion (160) of said accessory cable (190) to said electronic device; attaching a second portion of said accessory cable to said electronic device at first and second attachment points (108a, 108b attached to attachment points on the device) on a top side of said electronic device, said first and second attachment points being located to enable a

handle to be formed by said accessory cable between said first and second attachment points, said handle being arranged to enable carrying said electronic device by said handle formed by said accessory cable (see col 2 lines 15-17). Comer lacks where the accessory cable is wrapped around the bottom side. Harris teaches a handle (13, 12) wrapped around a bottom side of an electronic device (see Fig. 1, 2). It would have been obvious to a person of ordinary skill in the art to combine the power adapter carrying strap of Comer with the harness of Harris to obtain a carrying harness for a portable device where the AC adapter is built into the handle for the benefit of eliminating the need for a separate storage means for the ac adapter.

12. With respect to claim 2, Harris teaches where the electronic device is a laptop computer (11, [0009] lines 1-2).

13. With respect to claim 3, Comer teaches where the accessory cable (190) is a cord for an AC adapter (150) used with said electronic device.

14. With respect to claim 4, Comer teaches where the said accessory cable (190) is a security cable apparatus used with said electronic device (col 4 lines 44-50).

15. With respect to claim 5 and 6, Comer lacks specific teaching of a network connector or USB cable. It would have been obvious to a person of ordinary skill in the art to use any type of accessory cable known in the art, such as USB and network cables, to obtain the carrying strap of Comer for use with any accessory cable for the benefit of a carrying strap containing an accessory cable preventing said accessory cable from being misplaced.

16. With respect to claim 7, Comer teaches where said accessory cable (190) is enclosed within a flat belt-shaped strap (170, see Fig. 1), said strap being designed to provide additional support for said electronic device.

17. With respect to claim 11, Comer teaches where said first portion of said accessory cable (160) comprises an electrical power connection to said electronic device (col 4 lines 20-23).

18. With respect to claim 12, Comer teaches wherein said first portion (160) of said accessory cable (190) comprises a security connection device arranged for connection to a security recess within said electronic device (see col 4 lines 20-23, 44-50, the first portion functions as a security connection device).

19. With respect to claim 20, Comer teaches the device as applied to claim 19 above, but lacks "U" shaped sections around the outer edges of the electronic device. Harris teaches wherein the handle (12, 13) is "U" shaped and fits snugly around the outer edges of said electronic device (see Fig. 1).

20. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Comer (PN 6,471,542) in view of Dickison (PN 5,839,394). With respect to claim 14, Comer teaches the device as applied to claim 13 above, but lacks a selectively detachable hook and loop material. Dickison teaches of a selectively detachable hook and loop material (see Fig. 1, 9 and 9' are made of hook and loop material col 2 lines 15-20) for use as an attachment means. It would have been obvious to a person of ordinary skill in the art to combine the hook and loop attachment means of Dickison with

the carrying strap of Comer to obtain a detachable carrying strap for the benefit of an easily replaceable carrying strap.

21. With respect to claim 15 and 16, Comer lacks permanently attached hook and loop surfaces. Dickison teaches where the hook surface and the loop surface are permanently attached but lacks specific teaching of the orientation of the surfaces. It has been held that a rearrangement of parts of prior art without affecting the operation of a device is an obvious design choice. *In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to a person of ordinary skill in the art to combine the permanently attached hook and loop surfaces of Dickison with the carrying strap of Comer where the hook material is attached to the panels and the loop material is attached to the accessory, or vice versa, for the benefit of an easily replaceable carrying strap.

22. With respect to claim 17, Comer teaches wherein the said attachment material is attached around outer edges of said side panels of said electronic device, but lacks teaching specific teaching of a belt attachment device. Dickison teaches wherein said attachment material is in the form of a permanently attached flat belt (7, see Fig. 1, the loop of 7 for the wrist is permanent). It would have been obvious to a person of ordinary skill in the art to combine the permanently attached hook and loop surfaces of Dickison with the carrying strap of Comer where the hook material is attached to the panels and the loop material is attached to the accessory, or vice versa, for the benefit of an easily replaceable carrying strap.

23. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Comer (PN 6,471,542) in view of Harris et al. (US 2004/0217027) as applied to claims 1 and 7 above, and further in view of Dickison (PN 5,839,394). With respect to claim 8, Comer lacks where the strap is connected using hook and loop material. Dickison teaches a selectively detachable hook and loop material (see Fig. 1, 9 and 9' are made of hook and loop material col 2 lines 15-20). It would have been obvious to a person or ordinary skill in the art to combine the hook and loop attachment means of Dickison with the carrying strap of Comer to obtain a detachable carrying strap for the benefit of an easily replaceable carrying strap.

24. With respect to claim 9 and 10, Comer as modified by Harrison lacks where the strap is connected using hook and loop material. Dickison teaches a selectively detachable hook and loop material (see Fig. 1, 9 and 9' are made of hook and loop material col 2 lines 15-20). It would have been obvious to a person or ordinary skill in the art to combine the hook and loop attachment means of Dickison with the carrying strap of Comer to obtain a detachable carrying strap for the benefit of an easily replaceable carrying strap.

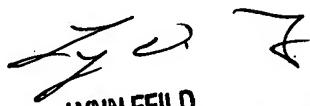
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey M. Broussard whose telephone number is 571 272 2799. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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